

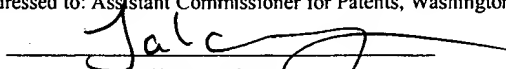
#9
KWPATENT
Docket No. 342312003700

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Michael J. RODRIGUEZ and
James A. JAMISON

Serial No.: 09/868,347

Filing Date: September 24, 2001

For: CYCLIC PEPTIDE ANTIFUNGAL
AGENTS

Examiner: E. Peselev

Group Art Unit: 1623

SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 AND § 1.98Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

09/17/2002 HVUONG1 00000048 031952 09868347

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Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☒ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of is enclosed.
 - ☒ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

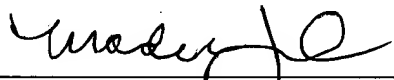
Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 is to the best of my knowledge and is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 342312003700. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.


Dated: September 12, 2002

Respectfully submitted,

By: 

Madeline I. Johnston
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Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>				Docket Number : 342312003700		Application Number: 09/868,347	
				Applicant Michael J. RODRIGUEZ and James A. JAMISON			
				Filing Date: September 24, 2001		Group Art Unit: 1623	
				Mailing Date: September 12, 2002			
U.S. PATENT DOCUMENTS							
Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	10/06/1981	4,293,483	Debono			
FOREIGN PATENT DOCUMENTS							
Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	2.	07/01/1981	EP 0 031 221 A1	Europe			
OTHER DOCUMENTS <i>(including author, title, Date, Pertinent Pages, Etc.)</i>							
Examiner Initials	Ref. No.	Title					
	3.	Etter, M.C. and Baures, P.W. (1988) "Triphenylphosphine Oxide as a Crystallization Aid," <i>J. Am. Chem. Soc.</i> 110:639-640.					
EXAMINER				DATE CONSIDERED:			
EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.							